

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK WHITE,

Plaintiff,

v.

Case No. 13-15073

PAUL KLEE, LEE McROBERT, and
LOUIS CONDON,

HON. AVERN COHN

Defendants.

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ORDER DENYING PLAINTIFF'S MOTIONS FOR RECONSIDERATION
(ECF Nos. 263, 264)

I.

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff Mark White is proceeding pro se and in forma pauperis. The matter was referred to a magistrate judge for pretrial proceedings. (ECF No. 12). Following motion practice and several reports and recommendations which were adopted by the Court, plaintiff's remaining claims relate to his refusal to "snitch" on fellow inmates and the alleged failure of Paul Klee, the Warden at the Gus Harrison Facility, Lee McRobert, the Deputy Warden, and Louis Condon, a Resident Unit Manager ("defendants") to properly protect him from gang members. In essence, plaintiff is asserting an Eighth Amendment failure to protect claim and a First Amendment retaliation claim. The parties eventually filed cross motions for summary judgment directed at the merits of plaintiff's claims. The Court

granted defendants' motion and denied plaintiff's motion. (ECF No. 261).

Before the Court are plaintiff's motions for reconsideration. See ECF Nos. 263, 264. For the reasons which follow, the motions are DENIED.

II.

E.D. Mich LR 7.1(h)(3) provides in relevant part:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

A palpable defect is a defect that is obvious, clear, unmistakable, manifest, or plain.

Witzke v. Hiller, 972 F. Supp. 426, 427 (E.D. Mich. 1997).

The Court has reviewed plaintiff's motions and exhibits. Nothing in them convinces the Court that it erred in granting defendants' motion for summary judgment. Plaintiff either repeats arguments considered and rejected or makes arguments that are not relevant to the claims in this case. Reconsideration is not warranted.

SO ORDERED.

S/AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: 10/24/2019
Detroit, Michigan